



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

January 21, 2020

BY ECF

The Honorable Paul G. Gardephe
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

**Re: *United States v. Michael Avenatti,*
S1 19 Cr. 373 (PGG)**

Dear Judge Gardephe:

The Government respectfully submits the attached letter from the Warden of the Metropolitan Correctional Center pursuant to the Court's order dated January 21, 2020, directing the Government to provide an explanation regarding the defendant's current conditions of confinement (Dkt. No. 182).

Respectfully submitted,

GEOFFREY S. BERMAN
United States Attorney

By: *Robert B. Sobelman*
Matthew D. Podolsky
Daniel C. Richenthal
Robert B. Sobelman
Assistant United States Attorneys
(212) 637-1947/2109/2616

cc: (by ECF)

Counsel of Record



U.S. DEPARTMENT OF JUSTICE

Federal Bureau of Prisons

Office Of the Warden

*Metropolitan Correctional Center
150 Park Row
New York NY 10007*

January 21, 2020

Honorable Paul G. Gardephe
United States District Judge
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, NY 10007

RE: United States v. Avenatti, No. S1 19-CR-373(PGG)

Dear Judge Gardephe:

I write in response to the Court's direction that the Government explain in writing the the current conditions of confinement are in place for Michael Avenatti, currently housed at the Metropolitan Correctional Center in New York ("MCC New York"). Specifically, counsel for Mr. Avenatti request the Court direct that he be moved to general population as his current conditions of confinement make it difficult for him to assist in his own defense.

Mr. Avenatti arrived at the MCC New York on Friday, January 17, 2020, after normal business hours. Due to Mr. Avenatti's high profile case, his notoriety, Mr. Avenatti's placement is for his own safety. He has not been placed under Special Administrative Measures and is generally subject to the same restrictions as other Special Housing Unit (SHU) inmates, with the exception of legal visiting and housing locations.


Throughout the weekend, I spoke with MCC New York administrators concerning Mr. Avenatti's prison conditions. I intended to and did speak with Mr. Avenatti to discuss his concerns today.

Moving forward, Mr. Avenatti can keep his legal materials in his cell. He has access a discovery computer on the unit where he is being housed, so he can review discovery on CDs at his request. Lastly he will have contact legal visits and a daily social telephone calls. Staff will give him the opportunity to choose a consistant daily time that works for him, his family and his legal visits.

Should Mr. Avenatti have further concerns with his conditions at MCC New York, his defense counsel can feel free to reach out to me.

I trust this satisfies your request.

Sincerely,


M. Licon-Vitale
Warden